

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DAC \$ #9  
(I+S)

In re application of: George K. Wai

RECEIVED

Serial No.: 08/689,193

DEC 10 1998  
Examiner: P. Chin

Filed: August 8, 1996

OFFICE OF PETITIONS  
DEPUTY A/C PATENTS  
Art Unit: 1303

Docket No.: Case 5404

Title: PITCH CONTROL COMPOSITION

**PETITION TO REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION  
UNDER 37 U.S.C. §1.137 (b)**

Via Facsimile: 703-305-8825

Attn: Office of Petitions

Commissioner of Patents and Trademarks  
Box DAC  
Washington, D.C. 20231

Dear Sir:

This is a petition to revive an unintentionally abandoned application. A Notice of Abandonment (copy enclosed) was sent to Applicants on November 20, 1998 informing Applicants that the issue fee for the application was not paid. Applicants' attorney reviewed his files and it appears that the case was mistakenly removed from his docket before the issue fee was paid. (A copy of the Notice to Pay Issue Fee is also enclosed.) The abandonment of this application was unintentional.

03/10/2003 AKELLEY 00000028.012530 08689193

01-FC:1501 1210.00 CH  
02-FC:1453 1210.00 CH

Please charge deposit account 01-2530 in the amount \$1,320.00 for payment of the issue fee and \$1,320.00 which is the fee charged to revive an unintentionally abandoned application. Although it is believed that no additional fees are due, the Commissioner of Patents and Trademarks is authorized to charge deposit account 01-2530 for any fees due in connection with this petition and reviving the application.

Respectfully submitted,



David L. Hedden

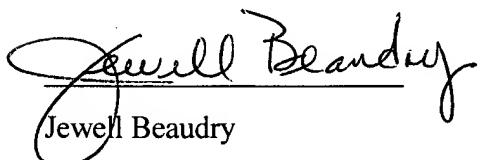
Attorney for Ashland Chemical Company  
Registration No. 29,388

Ashland Chemical Company  
P.O. Box 2219  
Columbus, Ohio 43216

Phone: (614) 790-4265  
Fax: (614) 790-4268

#### **CERTIFICATE OF MAILING**

I hereby certify that this PETITION TO REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION UNDER 37 U.S.C. §1.137 (b) is being deposited with the United States Postal Service on December 7, 1998 with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

  
Jewell Beaudry

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/689,193	08/05/96	WAI	G 5404

75F1/1120

EXAMINER

DAVID L HEDDEN  
ASHLAND CHEMICAL COMPANY  
P O BOX 2219  
COLUMBUS OH 43216

CHIN, P

ART UNIT PAPER NUMBER

1731 08

DATE MAILED:

11/26/96

PATENT

NOV 30 1998

DEPT.

**NOTICE OF ABANDONMENT**

This application is abandoned in view of:

Applicant's failure to timely file a proper response to the Office letter mailed on \_\_\_\_\_.

A response (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_, which is after the expiration of the period for response (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.

A proposed response was received on \_\_\_\_\_, but it does not constitute a proper response to the final rejection.

(A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC).)

No response has been received.

Applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.

The issue fee (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_.

The submitted issue fee of \$\_\_\_\_\_ is insufficient. The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_.

The issue fee has not been received.

Applicant's failure to timely file new formal drawings as required in the Notice of Allowability.

Proposed new formal drawings (with a Certificate of Mailing or Transmission of \_\_\_\_\_) were received on \_\_\_\_\_.

The proposed new formal drawings filed \_\_\_\_\_ are not acceptable.

No proposed new formal drawings have been received.

The express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on \_\_\_\_\_.

The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

The decision by the Board of Patent Appeals and Interferences rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.

The reason(s) below:

Diane Terry  
Allowed Filings Branch  
703-305-5203



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

PATENT

JUN 22 1998

DEPT.

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

IM31/0618

DAVID L. HEDDEN  
ASHLAND CHEMICAL COMPANY  
P O BOX 2219  
COLUMBUS OH 43216

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
07/007,400	08/05/96	010	CHIN, P	1731 06/18/98

WAT

GEORGE R.

First Named  
Applicant

PITCH CONTROL COMPOSITION  
TITLE OF  
INVENTION

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEES DUE	DATE DUE
	162-046.000	F46	UTILITY	NO	\$1320.00	09/18/98

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT.**  
**PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number.

Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

YOUR COPY